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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

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20 NORTH WACKER DRIVE
36TH FLOOR
CHICAGO, IL 60606

Appeal No: 2006-2889
 Appellant: David A. Cheresh et al.
 Application No: 09/538,248
 Hearing Room: B
 Hearing Docket: A
 Hearing Date: Wednesday, November 15, 2006
 Hearing Time: 01:00 PM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

**NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: HEARING ATTENDANCE CONFIRMED HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Oct 25, 2006
Date45,058
Registration No.

Names of other visitors expected to accompany counsel: _____
 For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
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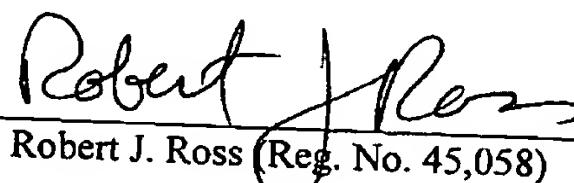
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Application Serial No. 09/538,248 - - - - - 2

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Robert J. Ross (Reg. No. 45,058)